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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/774,092

Filing Date

February 6, 2004

First Named Inventor

Brovelli et al

Art Unit

1655

Examiner Name

Patricia A. Leith

Attorney Docket Number

AM1150

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Altacor Inc.

Signature

Connie B. Berg

Printed name

Connie B. Berg

Date

April 28, 2006

Reg. No.

46,548

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Kim D. Branderhorst

Typed or printed name

Kim D. Branderhorst

Date

April 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/774,092
Applicant : Brovelli et al.
Filed : February 6, 2004

Title : METHOD OF AUGMENTING THE IMMUNE-MODULATORY ACTIVITY
OF STANDARDIZED ECHINACEA PREPARATIONS

Group Art Unit: 1655

Examiner : Patricia A. Leith

Docket No. : AM1150

MAIL STOP - AMENDMENT
Honorable Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

Responsive to the Restriction Requirement dated April 7, 2006, claims 1 – 22 are pending in the application. Restriction to one of three inventions has been requested. The Office Action has identified claims 1 – 7 as Invention Group I, claims 8-11 as Invention Group II, and claims 12-22 as Invention Group III. Applicants hereby elect without traverse claims 1-7 drawn to Invention Group I for examination. Applicants reserve the right to file a divisional application to the non-elected claims.

Applicants : Brovelli, et al.

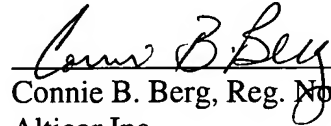
Serial No. : 10/774,092

Page No. : 2

If fees are required so that this response be considered timely filed, the Commissioner is hereby authorized to charge such additional fees to deposit account no. 01-1793. If the Examiner has any questions or comments, please call the undersigned.

Dated: April 28, 2006

Respectfully submitted,



Connie B. Berg, Reg. No. 46,548

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